UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,885	03/24/2004	David R. Yee	021756-069200US	6635

51206   7590   05/26/2010
TOWNSEND AND TOWNSEND AND CREW LLP/ORACLE
TWO EMBARCADERO CENTER
8TH FLOOR
SAN FRANCISCO, CA 94111-3834

EXAMINER
LEWIS, ALICIA M

ART UNIT	PAPER NUMBER
2164	

MAIL DATE	DELIVERY MODE
05/26/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/808,885	YEE ET AL.
	Examiner	Art Unit	
	ALICIA M. LEWIS	2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>22 February 2010</u>.
2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-5,7,9-14,16-22 and 24-27</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>1-5,7,9-14,16-22 and 24-27</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

This office action is responsive to communication filed February 22, 2010.

Claims 1, 9 and 17 are currently amended; claims 6, 8, 15 and 23 are canceled; and

claims 26 and 27 have been added. Thus, claims 1-5, 7, 9-14, 16-22 and 24-27 are

pending in this application.

Claim Objections

1.   Claim 17 is objected to because of the following informalities: The word

'performed' is misspelled in line 6 of the claim. Appropriate correction is required.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-5 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Dutta et al. (US Patent Application Publication 2002/0103914 A1, *published*

8/1/2002) ('Dutta') in view of Malcolm (US 2008/0172717 A1, *priority date 9/17/2003*).

With respect to claim 1, Dutta teaches:

executing with a processor (paragraphs 22, 27 and 29) one or more software

components, wherein the software components include a developer tool for

manipulating content of the web page by a developer, a servlet, an analyzer, and a filter

(paragraphs 20, 126-127 and 143-145);

accessing said web page comprising said content with the servlet in response to

a request from the development tool (Figure 4, paragraphs 33-35 , 37 and 133-134;

step 610 in Fig. 6);

intercepting the request from the development tool with the filter and processing

the web page with the filter (paragraphs 19, 33-34 and 137);

transferring the content of the web page from the filter to the analyzer (paragraph

135);

analyzing the content of the web page with the analyzer, wherein analyzing the

content comprises measuring conformity of the content of the web page with an

established standard (paragraphs 38, 126-128 and 135);

returning a result of said analyzing from the analyzer to the servlet (paragraphs

127 and 135);

appending the result of said analyzing to the content of said web page with the

servlet (paragraph 137); and

displaying said web page and said result with the browser (paragraphs 135 and

137).

Dutta does not teach wherein said content is secure content, processing the web

page prior to encryption of said secure content and analyzing the content of the web

page prior to encryption of said secure content.

Malcolm teaches an information management system (see abstract), in which he teaches:

accessing a web page comprising secure content (paragraphs 20, 83, 89 and 91);

processing the web page prior to encryption of said secure content by a servlet (paragraphs 60, 91 and 102); and

analyzing the content of the web page prior to encryption of said secure content (paragraphs 60, 91 and 102).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Dutta by the teaching of Malcolm because a web page comprising secure content, processing the web page prior to encryption of said secure content and analyzing the content of the web page prior to encryption of said secure content would enable filtering of undesirable websites (Malcolm, paragraph 26), and the use of browser plug-in modules to examine transmission content before content has been encrypted (paragraph 60), thus providing secure transmission of data by enterprise staff (Malcolm, paragraph 29).

With respect to claim 2, Dutta as modified teaches wherein said accessing said web page comprising content is performed by an application server operating on a first computing system (Dutta, paragraphs 19 and 35-36).

With respect to claim 3, Dutta as modified teaches wherein said filter is a function of the application server (Dutta, paragraphs 19 and 35), wherein said filter is selectively activated by a webpage development tool accessible to said first computing system (Dutta, paragraphs 133-135).

With respect to claim 4, Dutta as modified teaches wherein said server and said filter operate in said first computing system (Dutta, paragraph 134).

With respect to claim 5, Dutta as modified teaches wherein said analyzer operates on a second computing system that is communicatively coupled with said first computing system (Dutta, Figures 1A and 1B, paragraphs 19, 34 and 37).

With respect to claim 7, Dutta as modified teaches wherein said filter transfers content of the web page to the analyzer in a hypertext mark-up language (HTML) format (Dutta, paragraph 33).

4.   Claims 9-14, 16-22, 24, 26 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dutta et al. (US Patent Application Publication 2002/0103914 A1, *published 8/1/2002*) ('Dutta') in view of Malcolm (US 2008/0172717 A1, *priority date 9/17/2003*), and further in view of Brewer et al. "Evaluating Web Sites for Accessibility" (hereinafter 'Brewer').

With respect to claims 9 and 17, Dutta teaches:

a bus (paragraph 22);

a memory unit coupled with said bus (paragraph 22); and

a processor coupled with said bus (paragraph 22), said processor configured to

execute a method of analyzing content of a web page comprising:

receiving a request for said web page (paragraphs 34 and 133-135) from a

development tool for manipulating content of the web page by a developer (paragraphs

20, 126-127 and 143-145);

generating said web page on a server in response to the request (Figure 4,

paragraphs 33-35 , 37 and 133-134; step 610 in Fig. 6);

processing the web page using a filter (paragraphs 19, 33-34 and 137);

transferring the content of the web page from the filter to an analyzer (paragraph

135);

analyzing the content of the web page, wherein analyzing the content comprises

measuring conformity of the content of the web page with an established standard

(paragraphs 38, 126-128 and 135);

returning a result of said analyzing to said server (paragraphs 127 and 135);

appending the result of said analyzing to the content of said web page

(paragraph 137); and

displaying said web page and said result (paragraphs 135 and 137).

Dutta does not teach wherein said content is secure content, processing the web page prior to encryption of said secure content and analyzing the content of the web page prior to encryption of said secure content.

Malcolm teaches an information management system (see abstract), in which he teaches:

accessing a web page comprising secure content (paragraphs 20, 83, 89 and 91);

processing the web page prior to encryption of said secure content by a servlet (paragraphs 60, 91 and 102); and

analyzing the content of the web page prior to encryption of said secure content (paragraphs 60, 91 and 102).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Dutta by the teaching of Malcolm because a web page comprising secure content, processing the web page prior to encryption of said secure content and analyzing the content of the web page prior to encryption of said secure content would enable filtering of undesirable websites (Malcolm, paragraph 26), and the use of browser plug-in modules to examine transmission content before content has been encrypted (paragraph 60), thus providing secure transmission of data by enterprise staff (Malcolm, paragraph 29).

Further regarding claims 9 and 17, Dutta in view of Malcolm fails to teach wherein accessing said web page is performed during testing or development of the web page.

Brewer teaches evaluating websites for accessibility (see abstract), in which he teaches accessing a web page for analysis/evaluation during testing or development of the web page (page 3, Section 3, paragraph 2; pages 6-7, section 4, 'evaluation during the development process' and 'ongoing monitoring' paragraphs). (*Brewer teaches that web sites can be analyzed and evaluated for conformance during the development phase.*)

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have further modified Dutta by the teaching of Brewer because evaluating web pages during testing or development would enable the ability to catch major problems during development phase of a new site (Brewer, page 2, line 1) and can also identify potentially major problems during the development phase for a new site (Brewer, page 3, section 3, paragraph 2).

With respect to claims 10 and 18, Dutta as modified teaches wherein said accessing said web page comprising content is performed by an application server operating on a first computing system (Dutta, paragraphs 19 and 35-36).

With respect to claims 11 and 19, Dutta as modified teaches wherein said filter is a function of the application server (Dutta, paragraphs 19 and 35).

With respect to claims 12 and 20, Dutta as modified teaches wherein said server and said filter operate in said first computing system (Dutta, paragraph 134).

With respect to claims 13 and 21, Dutta as modified teaches wherein said request for said web page is generated by a browser operating on said first computing system (Dutta, paragraph 35).

With respect to claims 14 and 22, Dutta as modified teaches wherein said analyzer operates on a second computing system that is communicatively coupled with said first computing system (Dutta, Figures 1A and 1B, paragraphs 19, 34 and 37).

With respect to claims 16 and 24, Dutta as modified teaches wherein said filter transfers content of the web page to the analyzer in a hypertext mark-up language (HTML) format (Dutta, paragraph 33).

With respect to claim 26, Dutta in view of Malcolm teaches claim 1.

Dutta in view of Malcolm does not teach wherein accessing said web page, intercepting the request from the development tool, transferring the content of the web page, and analyzing the content of the web page are performed during testing or development of the web page by a developer.

Brewer teaches evaluating websites for accessibility (see abstract), in which he teaches wherein accessing said web page, intercepting the request from the development tool, transferring the content of the web page, and analyzing the content of the web page are performed during testing or development of the web page by a developer (page 3, Section 3, paragraph 2; pages 6-7, section 4, 'evaluation during the development process' and 'ongoing monitoring' paragraphs) (*Brewer teaches that web sites can be analyzed and evaluated for conformance during the development phase*).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have further modified Dutta by the teaching of Brewer because evaluating web pages during testing or development would enable the ability to catch major problems during development phase of a new site (Brewer, page 2, line 1) and can also identify potentially major problems during the development phase for a new site (Brewer, page 3, section 3, paragraph 2).

With respect to claim 27, Dutta as modified teaches wherein returning a result of said analyzing, appending the result of said analyzing to the content of said web page, and displaying said web page and said result are performed during the testing or development of the web page by the developer (Brewer, page 3, Section 3, paragraph 2; pages 6-7, section 4, 'evaluation during the development process' and 'ongoing monitoring' paragraphs) (*Brewer teaches that web sites can be analyzed and evaluated for conformance during the development phase*).

5.   Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dutta et al. (US Patent Application Publication 2002/0103914 A1) ('Dutta') in view of Malcolm (US 2008/0172717 A1, *priority date 9/17/2003*), as applied to claims 1-5 and 7 above, and further in view of Berstis et al. (US 6,510,458 B1, *filing date 7/15/1999*) ('Berstis').

        With respect to claim 25, Dutta in view of Malcolm teaches processing a web page using a filter.

        Dutta in view of Malcolm does not teach performing sequential filtering of said web page using a plurality of filters of said filter.

        Berstis teaches blocking saves to web browser cache based on content rating (see abstract), in which he teaches performing sequential filtering of said web page (steps 1206 and 1208 in Figure 12, column 20 lines 38-39) using a plurality of filters of said filter (column 18 lines 3-10 and 37-47).

        It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have further modified Dutta by the teaching of Berstis because performing sequential filtering of said web page using a plurality of filters of said filter would enable a browser with the capability of blocking web page information from the browser cache based on predefined user preferences (Berstis, abstract).

Response to Arguments

6.   Applicant's arguments with respect to claims 9-14, 16-22, 24, 26 and 27 have been considered but are moot in view of the new ground(s) of rejection.

7.   Applicant's arguments filed February 22, 2010, regarding claim 1, have been fully

considered but they are not persuasive. Applicant argues that the cited prior art fails to

teach a development tool or receiving a request for a web page from the development

tool and performing filtering and analysis based on that request. Examiner disagrees.

Dutta teaches a personalized accessibility evaluation provider that may be implemented

on a proxy server, as an application on the client device or as a network-resident

service implemented by a proxy that resides on a service provider's premises

(paragraph 19), and further that when the personalized accessibility evaluation provider

is implemented on a client device, it may be a standalone software application, a portion

of a web browser application, a plug-in to a web browser application, or the like

(paragraph 20). The personalized accessibility evaluation provider is an evaluation tool

that evaluates requested content for accessibility to users having special needs

(paragraph 6). Dutta teaches that the personalized accessibility evaluation provider

may modify web page content in order to make the web page meet the accessibility

requirements (paragraphs 143-145). Thus, the personalized accessibility evaluation

provider may be considered a development tool because it is used to develop or

manipulate content of a web page.

8.   Further, according to Figures 4 and 5, Dutta teaches that a client device sends

content requests to the personalized accessibility evaluation provider (paragraph 33 and

133). The personalized accessibility evaluation provider then requests and receives the

web page content from content servers (paragraphs 34 and 133-135). Thus, Dutta also

teaches receiving a request for a web page from the development tool. Figure 4 clearly

shows a content request from the personalized accessibility evaluation provider

(element 420) to content provider servers (elements 440-460).

9.   Lastly, Dutta teaches that after the content is received, it is processed and

evaluated to determine a level of accessibility and for conformance with established

accessibility criteria (paragraphs 38 and 135-136). Therefore, Dutta also teaches

performing filtering and analysis based on the request. In conclusion, contrary to

Applicant's arguments, Dutta does, in fact, teach a development tool or receiving a

request for a web page from the development tool and performing filtering and analysis

based on that request.

Conclusion

10.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to ALICIA M. LEWIS whose telephone number is

(571)272-5599. The examiner can normally be reached on Monday - Friday, 9 - 6:30,

alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Charles Rones can be reached on 571-272-4085. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. M. L./
Examiner, Art Unit 2164
May 22, 2010

/Charles Rones/

Supervisory Patent Examiner, Art Unit 2164